

ATTACHMENT C History of Project

ZMA 1999-13 - Request to rezone 3.5 acres from non-zoned VDOT r.o.w. and LI to HC for proffered uses of sit down restaurant and convenience store with gas pumps; no proffered plan

SP 1999-59 – Request for fill in the floodplain

1999 – 2000 – Staff reviewed submittals, provided comments, and applicant resubmitted proposals to address some of staff comments. Where not addressed, applicant explained his rationale.

2000: Applicant obtained a Letter of Map Revision (LOMR) from the Federal Emergency Management Agency (FEMA)

Planning Commission Meeting May 22, 2001 – Recommendation for disapproval because:

- County Engineer concerns about impacts from fill in floodplain
- No plan offered
- No commitments made for design
- Outstanding storm water management issues
- No accommodation for greenway trails
- Visual impacts not addressed

Board of Supervisors Meeting June 20, 2001 -- Referred back to PC to work out issues related to:

- Building needs to be pulled in away from water 50 feet
- No mitigation plan for disturbance of the landward 50 feet of the 100 foot stream buffer
- Traffic study issues
- Need to address 100 foot easement for greenway and need for improvements
- Need to underground utilities
- No proposal for treating water quality
- Building orientation not to the street
- Fuel canopy is too close to the street – EC problem
- Large amount of fill would diminish the aesthetic value of the creek and the greenway trail.

2002 – Applicant made several resubmittals for staff review

Planning Commission Meeting May 7, 2002 – Recommended approval to Board of Supervisors with proffers reviewed at that meeting that included:

- Plan of development, included relegated parking
- Greenway easement dedication plus \$500 towards bridge repair that serve as stream crossings for the greenway
- Additional vegetative screening between buildings and the trail
- Reduction in the amount of fill and moving grading and construction activities away from the water ward 50' stream buffer
- Offsets to impacts to stream buffer with mitigation plan
- Provision of traffic study to occur with site plan
- Provision for storm water management
- Fuel canopy behind the store

Board of Supervisors Meeting July 3, 2002 --_Approved with proffers and plan of development

SP expired July 3, 2004 – because no activity to vest special use permit

2005 FEMA issues new Flood Insurance Rate Maps (FIRMs), did not revalidate 2000 LOMR

SP 2007-63: Applicant requested new SP which was essentially the same as SP1999-59

Planning Commission Meeting April 8, 2008: Planning Commission recommended approval with conditions

Board of Supervisors Meeting May 14, 2008: Board approved SP200700063 for fill in floodplain as recommended by Planning Commission

State Code amendment extended period of validity of SPs valid on January 1, 2009 to July 1, 2014.

State Code amendment extended period of validity of SPs valid on January 1, 2011 to July 1, 2017.

SDP201100063 -- Cracker Barrel Old Country Store - Preliminary site plan approval requested for site; after initial review comments were provided, project was suspended and deemed withdrawn.

ZMA2012-7 -- Applicant made request on October 15, 2012 to remove all proffered conditions related to building layout on the approved plan and increase the number of by-right uses

During 2012 & 2013 -- Submittals and comments provided on several versions of a plan and proffers

February 20, 2014 -- Applicant requested and received administrative deferral for one year

February 12, 2015 -- Applicant requested and received administrative deferral for an additional 6 months

September 2, 2015 -- Applicant requested and received BOS deferral until December 31, 2015

December 29, 2015 -- Applicant provided letter of intent to submit on January 19, 2016 with request for March 15, 2016 public hearing

January 19, 2016 -- Applicant resubmitted plan and proffers (see comments in Attachment F)

March 2, 2016 -- BOS approved zoning text amendment to remove requirement for special use permit for drive through windows